

**STATEMENT OF CONSIDERATION RELATING TO  
13 KAR 2:020  
AMENDED AFTER COMMENTS**

- (1) A public hearing on 13 KAR 2:020 Guidelines for admission to the state-supported postsecondary education institutions in Kentucky was held July 25, 2007, at 1024 Capital Center Drive, Frankfort, KY at 10 a.m. Comments also were received from individuals independent of the public hearing process.
- (2) The following individuals or groups attended the public hearing:

<b>Name</b>	<b>Association</b>	<b>Phone Number</b>
Connie Ray	University of Kentucky	859.257.6384
Dennis Weatherby	Northern Kentucky University	859.572.6047
Dianne Williams	Northern Kentucky University	859.572.6473
Jan Muto	Kentucky Community and Technical College System	859.256.4100
Sue Cain	Eastern Kentucky University	859.622.3506
Wendell Thomas	Committee on Equal Opportunities	502.845.2388

- (3) The following individuals from the Council on Postsecondary Education attended the hearing:

<b>Name</b>	<b>Title</b>	<b>Address</b>
Rana Johnson	Associate, EEO	1024 Capital Center Drive, Suite 320 Frankfort, KY 40601 502.573-1555
Dennis Taulbee	General Counsel	
Sherri Noxel	Director, Academic Assessment	
Lee Nimocks	Assistant V.P.	

The following individuals telephoned the Council and made comments:

### **Summary of Comments and Responses**

Oral and written comments received from the following individuals and groups are described below:

- (1) College Readiness Standard in Reading
  - (a) Comment: The Department of Education provided written comments. Kevin Noland, Interim Commissioner of Education, recommends that the Council consider a gradual increase in the reading standard, for example, 19 in 2009, 20 in 2010 and 21 in 2011. This would affect Section 1, page 2, lines 5-7 and Section 6(7), page 13, lines 15-20.
  - (b) Response: The Council previously determined that the reading readiness standard increase effective in fall 2009 is appropriate given the importance of readiness in college success, the national research supporting the establishment of the proposed standard and the implementation of the Educational Planning and Assessment System (EPAS) for all public school students that requires the ACT be taken in the eleventh grade in 2008. Students have the additional opportunity to demonstrate readiness through institutional placement tests before enrolling. The Council staff believes this is the correct position and did not change the administrative regulation.
- (2) Technical Correction
  - (a) Comment: Kevin Noland suggests that on Section 6, page 13, line 10 the reference should be to subsection (5) not (4) as the draft currently reads.
  - (b) Response: CPE staff agree it should be subsection (5) not (4) and has made the change.
- (3) Enrollment in Credit-Bearing Courses Following Developmental Courses
  - (a) Comment: Kevin Noland suggests that the requirement in Section 6 (10) for making sure that students complete developmental work prior to enrolling in credit-bearing courses be handled differently for reading than for math and English. Most credit-bearing courses require reading and students who are underprepared in reading would have limited course options while waiting to complete their preparatory work. Specifically, Mr. Noland recommends allowing students who have not met the readiness standard in reading to enroll in credit-bearing courses with supplemental services.

- (b) Response: The CPE staff agrees. The language of the administrative regulation (Section 6, page 14, line 18) will be revised to replace “supplemental course” with “entry-level college course, if the course offers supplementary academic support beyond that usually associated with an entry-level course.”. It was the original intent of the revision to recognize that underprepared students may not need a complete developmental course in a given subject but could enroll in credit-bearing courses that are supported with additional mandatory academic services. The language has been revised to accommodate this recommendation.

(4) Student Costs

- (a) Comment: Members of the Committee on Equal Educational Opportunity (CEO) expressed concern about the additional expense to the student for enrolling in additional developmental, or non-credit, with the increase in standards for college readiness.
- (b) Response: The CPE staff understand the concern, but believe that sufficient student financial aid is available. Students who are admitted to a degree-seeking program can use federal financial aid to pay for up to 30 hours of non-credit, developmental education. Students who need significant help preparing for credit-bearing course work may qualify for free educational services offered through local Adult Education providers. No change has been made in the administrative regulation. The Council staff will review whether there is an additional cost burden for students and will work with the institutions to consider proposals for funding or financial aid.

(5) Admission Standards

- (a) Comment: The Committee on Equal Educational Opportunity expressed concern about the impact of increased readiness standards on limiting college admissions.
- (b) Response: The CPE staff do not agree that the changes in readiness standards will have any impact on college admissions. The increased readiness standards proposed in this regulation are not admission standards. Institutions define admission standards separately and can admit students who do not meet readiness standards. Over half of the students currently admitted are currently under-prepared. There is no expected impact on the admission of under-prepared students. Readiness standards are implemented to mandate that institutions provide additional testing and support to students who are under-prepared for college-level courses in selected subjects. All students who do not meet readiness standards are given institutional placement tests before enrolling providing an additional opportunity to place above the readiness standards and enroll directly in

credit-bearing courses. No change is recommended.

(6) Reference to use of the word institution

- (a) Comment: Suzanne McGurk at the Kentucky Community and Technical College System questioned whether the replacement of the word university with institution on Section 6, page 12, line 19 was correct. By using the word institution, the requirements of this sub-section would now extend to all KCTCS institutions.
- (b) Response: The Council staff agree that the change has an unintended consequence of including KCTCS institutions. We are adding the phrase, at the start of line 19, “Except as provided in sub-section (11) of this Section,” This gives KCTCS an additional option of using the COMPASS test and other assessment tools.

(7) Completion of Developmental Courses

- (a) Comment: Interim Commissioner of Education Kevin Noland requested that we identify the corresponding credit-bearing disciplinary course that follows completion of a developmental course in reading.
- (b) Response: The Council staff do not believe that there are sequential credit-bearing courses in reading that follow a developmental course. We are proposing a change in the administrative regulation in Section 6(10), page 14, line 19, “in the case of reading appropriate course work requiring college-level reading skills.”

(8) Reading as Pre-requisite for College-level Work

- (a) Comment: Interim Commissioner of Education Kevin Noland asked, since reading is a pre-requisite to all college-level work, whether students who are required to take a developmental course in reading will not be permitted to take any credit-bearing courses until the developmental course is successfully completed.
- (b) Response: The regulation does not prevent an institution from permitting a student to enroll in non-reading intensive credit-bearing courses. No change is recommended.

(9) Program of Studies

- (a) Comment: KDE staff advise that the new versions of the Program of Studies and the Core Content for Assessment no longer refer to courses; instead that focus on standards that emphasize competencies. References in the regulation

to courses need to be modified.

- (b) Response: The Council staff agrees and has made the appropriate changes throughout the administrative regulation.

### **Summary of Statement of Consideration**

The standards were proposed by the Council as a result of the work of Kentucky's Developmental Education Task Force and the resulting plan to improve college readiness and success in Kentucky.

Most of the individuals commenting on the proposed administrative regulation are interested in preventing potential college students from being discouraged and not enrolling in college because they do not meet the college readiness standards. The increases in these readiness standards are designed to serve as an indicator to institutions to provide additional assistance. These standards should not prevent students from being admitted to the institutions, and should improve the likelihood that students will matriculate from a postsecondary education institution.

### **Action taken by Promulgating Administrative Body**

The following changes have been made in the administrative regulation:

Page 2  
Section 1(5)  
Lines 1, 2, 3 and 5

After "(5)", delete entire sub-section through (7) on line 3.  
On line 5 renumber next sub-section as "(6)"

Page 5  
Section 3(1)  
Line 16 and 17

After courses of study, delete "and is based on the Program of Studies"

Page 5  
Section 3(1)(b)1.  
Line 22

Starting after the number "1." add,

An integrated, applied, interdisciplinary, or technical/occupational course may be substituted for a traditional Algebra I, Geometry, or Algebra II course if the course meets the appropriate content standards described in the Program of Studies and the Core Content for Assessment both

incorporated herein by reference.

Page 6  
Section 3(1)(b)2.  
Lines 3 and 4

Add, starting at the beginning of the line, “2.”

Starting on line 4, after the phrase “more rigorous”, delete “than that described in the Program of Studies”

Page 6  
Section 3(1)(b)3.  
Line 5

At the beginning of line 5, delete sub-paragraph number, “2.”

At the beginning of line 5, add sub-paragraph number, “3.”

Page 6  
Section 3(1)(b)3.  
Lines 6-12

Beginning on line 8 after the phrase “for Assessment”, delete

“that listed in the Program of Studies and the Core Content for Mathematics, High School Version 4.1 2006 herein incorporated by reference. 3. Algebra II shall include the content and skills described in the Core Content for Mathematics Assessment and shall be at least as rigorous as that listed in the Program of Studies and the Core Content for Assessment Mathematics, High School Version 4.1 2006.”

Add, beginning on line 6 after the phrase “as rigorous as”,

the appropriate high school algebraic thinking standards outlined in the Program of Studies and the Core Content for Assessment.

Page 13  
Section 6(3)  
Line 1

After the number “(3)” add,

Except as provided in sub-section (11) of this Section,

Page 13  
Section 6(6)  
Line 17

Delete, after the word “sub-section” “(4)”  
Add, after “sub-section” “(5)”

Page 13  
Section 6(6)  
Line 18

After the word “course” delete “or discipline”

Page 14  
Section 6(10)  
Line 22

At the beginning of line 22, delete “supplemental courses”  
Add, beginning on line 22

entry-level college course, if the course offers supplementary academic support beyond that usually associated with an entry-level course.

Page 15  
Section 6(10)  
Lines 3 and 4

After the word “discipline” on line 3 add

, or in the case of reading, appropriate course work requiring college-level reading skills

Page 16  
Section 7(1)  
Lines 16 and 17

Starting on line 16 and continuing on line 17 following the word “Schools”, delete, “, Grades Primary-12”, 2006 [1998], Kentucky Department of Education”  
Add, on line 16 following the word “Schools”, “:Grades Primary-12 (revised 2006)”

Page 16  
Section 7  
Line 18

On line 18, delete, following the phrase “Core Content for”,  
“Mathematics”